

SUMMARY

B.H.Q.A. MEETING OF MARCH 10, 2010

MEMBERS PRESENT: Sandi Cole, Kris Floyd, Elizabeth Gallman, Susie Hamilton, Nikki Johnson

STAFF PRESENT: Michael Arnold, Daniel Bixler, John Hewett, Robert Hoole, Bruce Jennings, Maria McCormick, Norman Mosier, Jo Stong (HAND), Inge Van der Cruysse (Legal)

OTHERS PRESENT: Steve Abbott (2622 S. Bryan Street), Lori Abram (Choice Realty), Steve Bodi (Renaissance Rentals), Ellen Boruff (William Boruff Estate), Mary Friedman (Omega Properties), Brad Hanna (505 N. Smith Road), David Smith (Bloomington Housing Authority)

II. REVIEW OF MINUTES

Hamilton made a motion to accept the December 9, 2009 minutes as recorded. Cole seconded. Motion passed, 4-0-1 (Gallman abstained).

III. PETITIONS

412 E. 4th Street, William Boruff Estate, 10-TV-16. The petitioner, Ellen Boruff, was present to request an extension of time to complete repairs. Staff recommendation was to grant the request for an extension of time with an October 31, 2010 deadline. Hamilton made a motion to grant the request per staff recommendation. Johnson seconded. Motion passed, 5-0. Request granted.

2622 S. Bryan Street, Mike Snapp & Steve Abbott, 09-TV-69. The petitioner, Steve Abbott, was present to request an extension of time to complete repairs. He noted that the property is vacant. This was previously heard September 9, 2009. Staff recommendation was to grant the request with a May 13, 2010 deadline. Gallman made a motion to grant the request per staff recommendation. Hamilton seconded. Motion passed, 5-0. Request granted.

505 N. Smith Road, Brad Hanna, 10-V-26. The petitioner, Brad Hanna, was present to request relief from an administrative decision concerning a requirement to repair or replace deteriorating brickwork. Staff recommendation was to deny the variance and grant an extension of time to complete repairs with a May 10, 2010 deadline. Floyd made a motion to deny the variance and grant the request for an extension of time to complete repairs by replacing brick on the interior courtyard and repairing the exterior stairs with a June 10, 2010 deadline. Cole seconded. Motion passed, 5-0. Request granted.

802-898 E. Miller Drive, 1751-1781 S. Park Avenue, Bloomington Housing Authority, 10-TV-11. The petitioner, David Smith, was present to request an extension of time to complete repairs. The petitioner stated that the variance for the windows was received. Staff recommendation was to grant the request with a July 15, 2010 deadline. Gallman made a motion to grant the request with an August 15, 2010 deadline. Cole seconded. Motion passed, 5-0. Request granted.

3092 E. Covenant Drive, Renaissance Rentals, 10-AA-24. The petitioner, Steve Bodi, was present to request relief from an administrative decision concerning designation as condominiums. Staff recommendation was to deny the request. The petitioner provided a list of properties for which he is seeking relief. These include 3092 & 3094, 3100-3122 (evens), 3124-3146 (evens), 3148-3170 (evens), 3151-3167 (odds), 3201-3223 (odds), 3225-3241 (odds) East Covenant; 948 & 950, 960 & 962, 968 & 970, 976 & 978, 982 & 984, 988 & 990 Clarizz Blvd. He pointed out that the Board had granted a similar request for properties at the January 9, 2009 meeting. He also noted that payment was sent in to HAND but was not accepted because he had sent in an amount based on the apartment rate. Inge Van der Cruysse, Legal, stated that HAND has historically charged condominiums at the single-unit dwelling rate as condominiums have their own parcel numbers, tax bills and can be sold individually. As the units can be sold individually, HAND keeps separate files on each address and each inspection creates its own cycle report, remaining violations report and is issued its own occupancy permit. The request goes against the legal definition used by State regulations. She pointed out that granting the request allows a particular owner being treated

differently than other registered condominium owners. Johnson made a motion to grant the request for relief from administrative decision for the additional properties with conditions as stated in January 9, 2009 board action that all units within each building must be continuously owned and managed by Renaissance Rentals, if one unit is sold to another owner then the single unit rate will apply to all units within that building, permit length is determined by meeting all required deadlines, and this variance is for this permit cycle only. Cole seconded. Hamilton made a friendly amendment that any payment made for properties in question be accepted and applied without penalty. It was noted that the earliest permit expiration time for a unit within a building triggers inspection for all the units. Gallman made an amendment spelling out precisely to which properties this variance will apply. Floyd seconded. Amendment passed, 5-0. Motion passed, 5-0. The request is granted.

1733 N. Lincoln Street, Choice Realty & Management, 10-TV-25. The petitioner, Lori Abram, was present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a May 10, 2010 deadline. Cole made a motion to grant the request with a July 10, 2010 deadline. Hamilton seconded. Motion passed, 5-0. Request granted.

804 E. 11th Street, Omega Properties, 10-V-09. The petitioner, Mary Friedman, was present to request a modification or exception to the Property Maintenance Code to allow ceiling heights that do not meet code. Staff recommendation was to grant the request to allow a ceiling height variance for the 2nd floor north bedroom and the 2nd floor south bedroom with standard conditions for hard wired smoke detection with a May 10, 2010 deadline. Cole made a motion to grant the request with a July 10, 2010 deadline. Johnson seconded. Motion passed, 5-0. Request granted.

809 S. Whitley Drive, Christie Vansteenwyk, 09-TV-80. The petitioner was not present to request an extension of time to complete repairs. This was previously heard November 18, 2009. Staff recommendation was to grant the request with a May 10, 2010 deadline. Cole made a motion to grant the request per staff recommendation. Gallman seconded. Motion passed, 5-0. Request granted.

602 E. Maxwell Lane, Douglas J. Schroeder, 10-TV-02. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a deadline of August 13, 2010 or prior to occupancy. Cole made a motion to grant the request per staff recommendation. Floyd seconded. Motion passed, 5-0. Request granted.

419 N. Clark Street, HAND, 10-RV-04. HAND requests that the egress variance be rescinded. Cole made a motion to grant the request. Hamilton seconded. Motion passed, 5-0. Request granted.

515 N. Grant Street, Dan Fierst, 10-V-05. The petitioner was not present to request a modification or exception to the Property Maintenance Code that fuel fired appliances not draw combustion air from bedrooms and for an extension of time to complete repairs. Staff recommendation was to grant the request with an April 10, 2010 deadline. Floyd made a motion to grant the request with a May 10, 2010 deadline and with the condition that when the fuel fired appliances are replaced they are replaced with non-fuel fired appliances. Johnson seconded. Motion passed, 5-0. Request granted.

420 N. Washington Street, Michael Mazor, 10-TV-08. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a June 1, 2010 deadline. Gallman made a motion to grant the request per staff recommendation. Cole seconded. Motion passed, 5-0. Request granted.

1402 W. 8th Street, Jeanne Walters Real Estate, 10-TV-10. Request an extension of time to complete repairs. This petition has been withdrawn.

3769 E. Cobble Creek Drive, CNF Properties, 10-TV-12. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with an April 10, 2010 deadline. Cole made a motion to grant the request per staff recommendation. Johnson seconded. Motion passed, 5-0. Request granted.

4532 E. Deckard Drive, Pamela Diana J. Bell, 10-AA-13. The petitioner was not present to request relief from an administrative decision concerning designation as a rental property. Staff recommendation was to grant the request as long as Chester Bell resides at the property. Gallman

made a motion to grant the request per staff recommendation. Cole seconded. Motion passed, 5-0. The request is granted.

401 E. Clover Lane, Patrick Lafree, 10-TV-14. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with an April 10, 2010 deadline. Cole made a motion to grant the request per staff recommendation. Gallman seconded. Motion passed, 5-0. Request granted.

527 N. Washington Street, Dan Fierst, 10-V-15. The petitioner was not present to request a modification or exception to the Property Maintenance Code to allow open able windows to remain sealed shut. Staff recommendation was to grant the request with conditions that the 1st floor southeast bedroom and the 1st floor south central bedroom windows be must be maintained as operational with signs stating emergency exit shall be installed on these windows with an April 10, 2010 deadline. Cole made a motion to grant the request per staff recommendation. Gallman seconded. Motion passed, 5-0. Request granted.

929 W. Kirkwood Avenue, Vivian M. Bridgwaters, 10-V-18. The petitioner was not present to request a modification or exception to the Property Maintenance Code to allow pass through of a bedroom to reach a bathroom. Staff recommendation was to grant the request with no conditions and no deadline. Gallman made a motion to grant the request per staff recommendation. Cole seconded. Motion passed, 5-0. Request granted.

403 S. Jordan Avenue, Rose-lo Properties, LLC, 10-V-19. The petitioner was not present to request a modification or exception to the Property Maintenance Code to allow common area to not meet minimum requirements in the basement apartment for occupancy of three people. Staff recommendation was to grant the request with no conditions and no deadline. Gallman made a motion to grant the request per staff recommendation. Cole seconded. Motion passed, 5-0. Request granted.

720 N. Grant Street, K. Justin Brown, 10-TV-20. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a deadline of May 31, 2010. Cole made a motion to grant the request per staff recommendation. Gallman seconded. Motion passed, 5-0. Request granted.

602 N. Morton Street, Apartment 412, Cedarview Management, 10-V-21. The petitioner was not present to request a modification or exception to the Property Maintenance Code to allow pass through of a bedroom to reach a bedroom. Staff recommendation was to grant the request with no conditions and no deadline. Cole made a motion to grant the request per staff recommendation. Gallman seconded. Motion passed, 4-1 (Johnson voted nay). Request granted.

1113 S. High Street, Chris & Katelyn Rodgers, 10-TV-22. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with an April 10, 2010 deadline. Cole made a motion to grant the request per staff recommendation. Gallman seconded. Motion passed, 5-0. Request granted.

1113 S. High Street, Chris & Katelyn Rodgers, 10-V-23. The petitioner was not present to request a modification or exception to the Property Maintenance Code. Staff recommendation was to grant the request to allow ceiling height 81.5" to 82" for the attached garage converted into a sleeping room with single and multi-stationed hardwire smoke detection within standard criteria with an April 10, 2010 deadline. Cole made a motion to grant the request per staff recommendation. Gallman seconded. Motion passed, 5-0. Request granted.

915 W. 9th Street, Sara Thorpe, 10-TV-27. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a March 17, 2010 deadline for life safety violations and a June 10, 2010 deadline for all other violations. Cole made a motion to grant the request per staff recommendation. Gallman seconded. Motion passed, 5-0. Request granted.

613 E. 2nd Street, Simon Ladd, 10-TV-28. The petitioner was not present to request an extension of

time to complete repairs. Staff recommendation was to grant the request with an April 10, 2010 deadline. Cole made a motion to grant the request per staff recommendation. Gallman seconded. Motion passed, 5-0. Request granted.

200 E. 2nd Street, GMS Enterprise, LLC, 10-TV-32. Request an extension of time to complete repairs. This petition has been withdrawn.

943 N. Jackson Street, Suzette & John Weakley, 10-TV-33. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a March 17, 2010 deadline for life safety violations and a May 10, 2010 deadline for all other violations. Cole made a motion to grant the request per staff recommendation. Gallman seconded. Motion passed, 5-0. Request granted.

115-115 ½ E. 16th Street, Stanley Kudlacz, 10-TV-34. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a May 28, 2010 deadline. Cole made a motion to grant the request per staff recommendation. Floyd seconded. Motion passed, 5-0. Request granted.

1009 N. Jackson Street, Bloomington Vendors, Inc., 10-TV-35. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a deadline that all repairs be completed prior to re-occupancy. Cole made a motion to grant the request per staff recommendation. Gallman seconded. Motion passed, 5-0. Request granted.

1003 W. 11th Street, Scott Searles, Jr., 10-AA-36. The petitioner was not present to request relief from an administrative decision concerning designation as a rental property. Staff recommendation was to grant the request as long as Amy Cohn resides at the property. Gallman made a motion to grant the request per staff recommendation. Cole seconded. Motion passed, 5-0. The request is granted.

2631 N. Dunn Street, Charles Howell, 10-TV-38. Request an extension of time to complete repairs. This petition has been withdrawn.

2421 S. Brittany Lane, Achamma Varghese, 10-TV-39. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a June 10, 2010 deadline. Gallman made a motion to grant the request per staff recommendation. Cole seconded. Motion passed, 5-0. Request granted.

2617-19 S. Madison Street, Chris Baker, 10-TV-40. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a March 15, 2010 deadline for life safety violations and a May 10, 2010 deadline for all other violations. Gallman made a motion to grant the request per staff recommendation. Cole seconded. Motion passed, 5-0. Request granted.

V. GENERAL DISCUSSION

None.

VI. PUBLIC COMMENT

None.

VII. ADJOURNMENT

Cole made a motion to adjourn. Gallman seconded. Motion passed, 5-0. Meeting adjourned at 4:54 PM.